

REMARKS

Claims 1-14 are pending. In accordance with the foregoing, claims 1, 7 and 11 have been amended. Claims 1-14 remain pending for reconsideration, which is requested.

Claims 1-14 are rejected under 35 USC §103(a) as being unpatentable over Sanchez Herrero et al. (U.S. Patent 7,177,642) in view of Teitelbaum (U.S. Patent 5,872,834).

The independent claims are 1, 7 and 11.

Regarding Sanchez-Herrero Applicant argues:

In the present invention, the terminal subscriber identification information identifies the terminal owned by the subscriber, and the subscribed terminal number corresponds to a telephone number. In other words, for example, the former (terminal subscriber identification information) can correspond to IMSE (International Mobile Subscriber Identity), and the latter (subscribed terminal number) can correspond to MSISDN (Mobile Subscriber ISDN Number).

However, the Examiner appears to interpret the terminal subscriber identification information as corresponding to a telephone number. In Sanchez-Herrero, the term “private-ID” corresponds to “IMSI” (col. 2, lines 62-67), and the “public-ID” corresponds to “MSISDN” (col. 3, lines 21-24). In Sanchez-Herrero, more specifically, the private-ID identifies a subscriber, and the public-ID identifies the telephone number (col. 3, lines 1-7). The language of claim 1 is amended for clarity to require “registering, in a database, personal information, the personal information linking a subscribed ~~terminal~~telephone number, first terminal-subscriber identification information for a first wireless terminal equipment and user charging identification information to biological information of a user possessing the first wireless terminal equipment.” In other words, in claim 1, the “**terminal identification information**” and the “**biological information**” identify a private ID, and the “subscribed telephone number” identifies the public-ID.

In Sanchez-Herrero, the “registration request REGISTER” transmitted by the wireless terminal equipment must include the private-ID and the public-ID (col. 10, lines 14-18). In contrast to Sanchez-Herrero, claim 1 recites transmission of only the private ID (“terminal identification information” and the “biological information”) from the second wireless terminal equipment for authentication, namely “receiving from a second wireless terminal equipment an authentication request containing the **biological information of said user** and a **second terminal subscriber identification information** for the second wireless terminal equipment.”

Regarding Teitelbaum Applicant argues:

As the Examiner points out, Teitelbaum recites, in col. 9, lines 8-10, "Further, features that the user normally has on a cellular phone are provided on any cellular phone once user authentication is complete." However, Teitelbaum fails to disclose, either expressly or implicitly, about a concrete method for position registration of the cellular phone by an authentication method using a biological sensor.

A prima facie case of obviousness based upon Sanchez-Herrero and Teitelbaum cannot be established, because there is no evidence that one of ordinary skill in the art would combine Sanchez-Herrero's "registration request REGISTER" transmitted by the wireless terminal equipment, which must include the private-ID and the public-ID (col. 10, lines 14-18), with Teitelbaum's use of a user's input biometric information to use a phone and be billed based upon the input biometric information, while being silent on changing or transferring user registration of a phone, and then further modify both Sanchez-Herrero and Teitelbaum to provide the claimed method for position-registering the cellular phone to make it receivable or a method for position-registering a cellular phone, namely:

receiving from a second wireless terminal equipment an authentication request containing the biological information of said user and a second terminal ~~subscriber~~ identification information for the second wireless terminal equipment;

retrieving personal information of the user possessing the first wireless terminal equipment having biological information matching corresponding to the received biological information from said database and updating the retrieved personal information by changing the first terminal ~~subscriber~~ identification information in the retrieved personal information into the received second terminal ~~subscriber~~ identification information; and

transferring the subscribed ~~terminal~~ telephone number and the changed second terminal ~~subscriber~~ identification information in the updated personal information to the an exchange which allows communication with the second wireless terminal equipment and requesting position information registration permitting call in and call out of said second wireless terminal equipment by the subscribed ~~terminal~~ telephone number.

The Response to Arguments, item 6, provides that 'with regards to Applicant's argument that '... the language of claim 1 require[s] limitations for a positional registration permitting use of a plurality of cell phones with a single telephone number' (amendment of 3/25/09, e.g. page 8, lines 21-24), Examiner observes that this is overly strict interpretation of the claim language ...,'

and implies the invention intends to use “simultaneously” a plurality of cell phones with a single telephone number. However, it is not an object of the present invention to simultaneously use a plurality of cellular phones by a single person, but in the present invention, different cellular phones can be used by a single person with a single telephone number by biological authentication, and this provides a benefit to use a plurality of cellular phones.

In other words, the present invention provides a benefit of a positional registration by biological authentication that permits use of different cell phones with a single telephone number by a single person, which is not disclosed expressly by Teitelbaum, because Teitelbaum only discusses a user using any cell phone and being billed for the usage based upon input biological information of the user at a cell phone. So Teitelbaum is silent on any registration transferring based upon “**biological information**” and “**second terminal identification information**” namely “**receiving from a second wireless terminal equipment an authentication request containing the biological information of said user and a second terminal subscriber identification information for the second wireless terminal equipment ... transferring the subscribed-terminal telephone number and the changed second terminal subscriber identification information in the updated personal information to the an exchange which allows communication with the second wireless terminal equipment and requesting position information registration permitting call in and call out of said second wireless terminal equipment by the subscribed-terminal telephone number.**” In addition, there is no implicit evidence one of ordinary skill in the art would further modify Teitelbaum to provide a registration transferring service, when Teitelbaum is silent on registration transferring, and in fact teaches away from registration transferring by discussing in column 9, line 5 that “ ... regardless of the owner of the cellular phone, the call is billed to a currently identified user.”

In addition, there is no implicit evidence that if one skilled in the art modified Sanchez-Herrero’s “registration request REGISTER” transmitted by the wireless terminal equipment, which must include the private-ID and the public-ID (col. 10, lines 14-18), to include biological authentication, such modification would achieve the claimed transmission of **only the private ID (“terminal identification information” and the “biological information”) from the second wireless terminal equipment for authentication**, namely “receiving from a second wireless terminal equipment an authentication request containing the **biological information of said user** and a **second terminal subscriber identification information** for the second wireless terminal equipment.” A prima facie case of obviousness of amended claim 1 based upon

Sanchez-Herrero and Teitelbaum cannot be established, and withdrawal of the rejection is requested.

Independent claims 7 and 11 are amended to require limitations similar to the discussed limitations of amended claim 1.

The remaining dependent claims inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for the reasons discussed above in addition to the additional features recited therein.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,
STAAS & HALSEY LLP

/Mehdi D. Sheikerz/

Date: ____ September 9, 2009 ____ By: _____
Mehdi D. Sheikerz
Registration No. 41,307

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501